
POLICY AND RESOURCES COMMITTEE**MINUTES**

Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on Monday 18 June 2018 between 7.30pm and 8.30pm.

Councillors present:

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| Sara Bedford (Chairman) | Chris Lloyd (Vice-Chairman) (Leisure) |
| Rupert Barnes | Alex Michaels (Environmental Services) |
| Matthew Bedford (Resources and Shared Services) | Angela Killick |
| Stephen Cox | David Sansom |
| Stephen Giles-Medhurst (Economic Development) | Andrew Scarth (Housing) |
| Alex Hayward | Roger Seabourne (Community Safety and Partnerships) |
| Paula Hiscocks | Martin Trevett (Infrastructure and Planning Policy) |
| | Alison Wall |

Councillors in attendance: Councillor Reena Ranger

Officers Present: Steven Halls, Chief Executive
Joanne Wagstaffe, Director of Finance
Kimberley Grout, Head of Housing
Sarah Haythorpe, Principal Committee Manager

PR01/18 APOLOGIES FOR ABSENCE

None received.

PR02/18 MINUTES

The Minutes of the Policy and Resources Committee meeting held on 19 March 2018 were confirmed as a correct record and were signed by the Chairman.

PR03/18 NOTICE OF OTHER BUSINESS

None received.

PR04/18 DECLARATION OF INTERESTS

None received.

PR05/18 RECEIPT OF E-PETITION

In accordance with Council Procedure Rule 18(5) the e-petition was presented by Ms Dhanraj on behalf of Mr Walker.

The e-petition stated the following:

To receive an e-petition which has received 133 signatures which asks the Council to:

“We the undersigned petition the Council to Review the adoption of the Community Infrastructure Levy.

In January this year, my family was hit by a demand for immediate payment of £24,274.35p by TRDC in relation to the extension we are building on our family home for my 81 year old stepfather who is in poor health and does not want to live on his own anymore. We are NOT commercial developers.

Our crime? Despite having been granted full planning permission, having informed TRDC building control that we were commencing works and having been granted a full exemption from CIL by TRDC in October 2017, we failed to return a one page form before commencing works. Contrary to statements from TRDC, the last communication we received on the matter was in October 2017 - nearly 4 months beforehand.

We accept this was our error and we hold our hands up to it, but do we - or anyone else - really deserve a penalty at this level? £24,274.35p for one, one-page form.

We were not flouting the regulations and we were not ignoring advice from TRDC. We simply forgot one form, which ultimately, in the whole scheme of things was completely irrelevant.

The only reason the council need to know the start date is in order to start charging and we had already been granted a full exemption, so there was no charge. We should have returned it, but ultimately it is a tick-box exercise and there is no reason for it. As one legal journal put it:

“There is no compelling reason that a timing error should override the ability to claim and retain the exemption, particularly when the need for advance notice of works is redundant on account of there being no need for a collecting authority to generate a demand notice where CIL is not payable”.

Our error was a minor procedural one and it had no impact on the nature of the project. It is still a residential extension to accommodate an elderly relative.

If a mistake has been made, then I accept that TRDC are within their rights to penalise us, but why would you remove the exemption that you have already confirmed in writing with a detailed summary of the reasons for your decision?

I realise this is a "first world problem" and will not be of interest to many people, but it really has caused untold stress and anxiety to my family and created a lot of uncertainty over the completion of our project, so I would really appreciate your support.

This is an outrageous penalty, which is completely disproportionate to the error made.

I know of at least two other local families who have been hit with exactly the same issue and there will be many more. TRDC revenues from CIL have risen from £42K in its first year of operation, to over £900,000 in its second year; an increase of over 2000%.

CIL was adopted by Three Rivers District Council (TRDC) in April 2015. The concept behind CIL is an honorable one. It is aimed at getting a contribution from commercial developers whose projects put extra pressure on the local infrastructure. I am sure that most people completely agree with that, but the legislation is formulaic and inflexible. It is catching out families who should not be charged and there are little or no means of appealing.

We need to make sure that this legislation is not used as a cash-cow for cash-strapped Councils. The adoption of the legislation should be repealed until it is amended and fit for purpose.”

The Chairman, on behalf of the Committee, wished to pass on their condolences to Mr Walker on the sad death of his step father.

The Chairman proposed, seconded by Councillor Martin Trevett, that as the Government was currently reviewing changes to the CIL legislation any decision be put on hold at this time. Once the review was completed a report to be presented at a future meeting.

The Committee was advised that with regard to the collecting of the penalty the Council were not pursuing this at the current time.

RESOLVED:

1. Received and noted the e-petition.
2. Once the review was completed a report to be presented at a future meeting.

PR06/18 MEMBER TRAINING

The Committee last received a report on Member training on 5 December 2016 (Minute PR77/16) and raised a number of matters at the meeting which were addressed as set out in Paragraph 2.1 below.

Members were asked to suggest how Member training should be directed in the future, how attendance levels can be improved and how the training budget can be fully utilised during 2018/19.

Members advised the following comments:

- Training should be held in the evening not before 7pm but Members welcomed the recent drop in sessions for the IT training throughout the day as this offered greater flexibility;
- Some areas suggested for in-house training were in Finance, Environmental Health and Planning although the LGA provided very good guidance and external training on planning;
- Feedback to be provided on external training particularly around the LGA Annual Conference;
- Could a new budget code be set up for attendance at the LGA conference?
- It was for the Council to decide how many representatives of the Council should attend on the LGA Annual Conference;
- Could a list of all the Group's training suggestions be provided. (POST MEETING NOTE: This will be included in the report to the Committee as detailed in the work programme)

RESOLVED:

1. That Member training in the future should be provided in-house where possible, but that external training be considered where appropriate and within the budget available;
2. That the training be provided at various times during the day and evening in order to improve attendance levels but providing a greater range of times for the training particularly in the evening; and
3. That a new budget code be created for attendance at the LGA Annual Conference.

POST MEETING NOTE: A new budget code has been set up 1201 D0802 (conferences), to enable a budget virement of £550 to be made.

4. Agreed the training matrix attached Appendix 1

5. That the Group Leaders put forward their training requirements for their Group by the end of July each year, starting in July 2018.
6. Noted the Individual Member Training record for 2017/18.

PR07/18 BATCHWORTH NEIGHBOURHOOD AREA DESIGNATION APPLICATION

The Committee noted that one comment had been received from a company outside the area.

Councillor Martin Trevett moved, seconded by Councillor Paula Hiscocks the recommendation at Paragraph 15.1 of the report.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

Agreed - the application submitted by Batchworth Community Council for a Neighbourhood Area covering the whole Batchworth parished area.

PR08/18 SUMMARY OF THE FINANCIAL OUTTURN FOR 2017/18

This report shows the outturn position for the financial year ending on 31 March 2018 for both revenue and capital and makes the following recommendations:-

- to carry forward to 2018/19 certain unspent revenue budgets and;
- to re-phase those capital budgets that require completion in 2018/19

A key feature of reporting the outturn for the financial year is to compare it against the latest agreed budget which provides an indication of the accuracy and robustness of financial control and the achievement of the strategic objective to manage resources to deliver the Council's strategic priorities and service needs.

Members raised the following points:

IT systems – the IT budget had been significantly increased during the last financial year but had been carried forward to this year. There seemed to be a lack of scrutiny of the ICT costs and what was being undertaken by the IT team.

Welcomed the recent migration to the new server system and praised the service provided by the ICT support team.

One of the smallest underspends was £20k for staffing but with staff being under pressure Managers should keep a check on this.

Why had there been a reduction the Council's investment fund?

The temporary accommodation at the Bury had been delayed due to extra drainage works. How would that impact on the budget?

Officers should be promoting and encouraging residents to apply for a disabled facilities grant.

Had the tractor been purchased?

Do we know why the housing IT portal had been offline recently?

There had been an underspend of £310,000 on the temporary accommodation budget. Would this underspend be used to house more homeless Three Rivers families in the District?

Could the Council save money on replacement vehicles and waste and recycling vehicles by putting the contract out to the private sector?

The following responses were provided:

All the Surface Pros needed to be migrated to the new server.

The Lead Member for Resources and Shared Services reminded the Committee that the rephrasing of the IT budget was for the capital budget not the revenue budget. The Director of Finance advised that the IT team was working on providing a unified communications programme which included improvements to the IT network, Wifi, infrastructure and servers. This project was being monitored by the ICT Steering Group on a monthly basis. An update on the programme would be circulated to the Committee.

The Chairman advised that the underspend was for a range of difference posts in different services.

The Council had spent £16M of its investment which reduced the amount of money in the bank, one example being the purchase of the Grapevine as a property investment. The Council was remodelling the capital costs in the budget.

The Head of Housing advised that the disabled facilities grants are demand-driven and publicised although receipt of the grant is means tested for certain cases. Members of the public are not able to apply for them direct as referrals could only be made through Occupational Therapists at Herts County Council.

The tractor had been purchased.

Officers had worked very hard to reduce the number of families in temporary accommodation outside the District. The Council had been able to use some housing in South Oxhey although this would be lost once it was rebuilt as part of the South Oxhey Initiative. The housing team had reduced the number of families living in temporary accommodation outside the District from 23 to 13.

The temporary accommodation budget had seen an underspend of £310,000 but the Homelessness Reduction Act had only come into effect in April. The impact of this could not be anticipated at this time and it was too early to comment.

It was noted that money had been saved by keeping the waste and recycling service in-house. No vehicles had been purchased during the last financial year therefore the budget had been re-phased. It was better for the Council to finance these vehicles as the cost would only be included by the private company in its contract.

A breakdown of the £54,080 budget for the refurbishment of the toilets and new flooring to be provided to Councillor Paula Hiscocks.

POST MEETING NOTE:

This relates to the whole life costing budget. The intention is to refurbish all the toilets within Three Rivers House. The works went out to tender and the contract was awarded. 2 disabled toilets on the lower ground

floor have been refurbished and we are about to schedule the next set. As this is disruptive to staff the works were delayed until the summer.

If the properties were not being valued in South Oxhey at the amount previously anticipated that was a risk for the developer not the Council.

A written reply would be provided to Councillor Alex Hayward on the rephrasing of the £392,870 in the capital budget for the SOI although it was noted this would facilitate the continued acquisition of properties to enable the project to reach completion.

POST MEETING NOTE:

This is the balance remaining on the SOI budget, this will be used for continued acquisitions to aid the completion of the project.

The Controlled parking zones and the parking bay and display were two completely different budgets.

On being put to the Committee the recommendations were declared CARRIED by the Chairman the voting being 9 For, 0 Against and 6 Abstentions.

RECOMMEND:

1. That the favourable revenue outturn variance of (£995,883) be noted.
2. That the capital outturn as summarised in paragraph 2.6 and Appendix 3 be noted.
3. Approves to carry forward the unspent service budgets from 2017/18 to 2018/19 which total £460,560 as detailed at Appendix 2
4. Approved the re-phasing on capital projects from 2017/18 to 2018/19 which total £2,961,040 as detailed at Appendix 4.

PR09/18 WORK PROGRAMME

A Member sought clarification on the difference between the Asset Register and Asset List. A written reply to be provided to Councillor Killick.

POST MEETING NOTE:

The Asset Register is held by Finance. The asset List is held by Property and Major Projects.

RESOLVED:

That the Committee agrees the items included in the work programme.

CHAIRMAN